



Petitioner's Docket No. 2308/102

PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Sunstein et al.

Application No.: 09/448,722

Group No.: 3621

Date Filed: November 24, 1999

Examiner: Reagan, James

For: Apparatus and Method for Authenticated Multi-User Personal Information Database

**Mail Stop AF**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, VA 22313-1450**

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed November 17, 2004, finally rejecting claims 1-50. Applicant requests that the amendment filed on December 27, 2004 be entered, as it places the claims in a better form for appeal.

**1. STATUS OF APPLICANT**

This application is on behalf of a small entity. A statement was already filed.

02/23/2005 HDEMESS1 00000016 09448722

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**CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\***  
(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

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37 C.F.R. § 1.8(a)

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37 C.F.R. § 1.10\*

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**TRANSMISSION**

facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Jeffrey T. Klayman

(type or print name of person certifying)

Date: February 17, 2005

\* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.



## FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity \$250.00

Notice of Appeal fee due \$250.00

### 3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant believes that no extension of term is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

### 4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee \$250.00

**TOTAL FEE DUE \$250.00**

### 5. FEE PAYMENT

Attached is a check in the amount of \$250.00.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized below.

A duplicate of this transmittal is attached.

### 6. FEE DEFICIENCY

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 19-4972.

Date: February 17, 2005

  
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